

REMARKS

The present application has been reviewed in light of the Office Action dated October 6, 2006. Claims 1-14 are presented for examination, of which Claims 1, 8, and 9 are in independent form. New Claims 9-14 have been added to provide Applicants with a more complete scope of protection. Claims 1-7 have been amended purely as to matters of form, and Claim 8 has been amended to define Applicants' invention more clearly. Favorable consideration and reconsideration are requested.

The Office Action objected to Claim 6 for failing to providing proper antecedent basis for "said site." Claim 6 has been amended to recite "the website" to overcome this informality. The Examiner is thanked for the suggested change.

The Office Action states that Claim 8 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,356,937 (Montville); that Claims 1-3 and 5-7 are rejected under § 103(a) as being unpatentable Montville in view of U.S. Patent No. 6,148,329 (Meyer); and that Claim 4 is rejected under § 103(a) as being unpatentable over Montville in view of Meyer, and further in view of U.S. Patent Application Publication No US2002/0055909 (Fung). Applicants respectfully traverse the rejections and submit that independent Claims 1, 8, and 9, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

Claim 8 is directed to a secure message database that includes a private message stored and associated with a first identifier and a second identifier, wherein the first and second identifiers are associated with a first user, and wherein the first identifier includes an account number and the second identifier includes a combination of a user identification and a password.

One of the notable features of Claim 8 is that the database stores a message according to two identifiers, which identify the message with a specific recipient. The two identifiers are an account number and a combination of user name and password.

Montville does not teach or suggest a private message stored and associated with an account number and a combination of user name and password. As understood by Applicants, Montville discloses a system in which messages are stored and associated with email header information, not an account number and not a combination of user name and password (column 21, lines 46-53).

Accordingly, Applicants submit that Claim 8 is not anticipated by Montville and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b).

Claim 1 is directed a method for facilitating access to messages. According to the method, a message is stored in a database, and the message is associated with an intended recipient by a first identifier. The intended recipient is notified of the message stored in the database, and a website is provided for the intended recipient to view the message. The intended recipient is authenticated using a second identifier. The database is searched to find messages for the recipient by matching the first identifier, and the messages are displayed for the intended recipient.

Applicants submit that a combination of the cited portions of Montville and Meyer, assuming such combination would even be permissible, would fail to teach or suggest “notifying the intended recipient of the message stored in the database.” In fact, Applicant respectfully submits that the system described in Montville actually *teaches away* from the notification feature of Claim 1.

As conceded in the Office Action, Montville does not disclose the notification feature of Claim 1. However, it is alleged in the Office Action that Meyer discloses this feature and that it would have been obvious to one skilled in the art to combine the teachings of Montville with Meyer, because “message alert was a common feature in many email client at the time applicant’s invention was made,” and because “it allows a user to know when messages are available without constantly having to check manually.”

Applicant respectfully submits that the requisite motivation to combine the teachings of Meyer and Montville is not established in the Office Action. Simply because a feature of a similar device was common at the time of the invention does not make it obvious to add the feature to the system described in Montville. Montville recites:

The user is given the opportunity to check all existing e-mail accounts through one server -- the application’s mail server. The method in which is presented to the user is unique. The user’s accounts are organized in an account book. This account book holds, in addition to account information, information that instructs the application if the user would like the accounts to be automatically checked, or manually checked. Thus, the user has complete control over what e-mail accounts are checked and when they are checked.

(Column 17, lines 24-32, emphasis added.) As understood by Applicants, the system described in Montville has a feature of allowing a subscriber to customize the frequency of automatically checking individual email accounts, rather than providing a message alert. Further, Montville recites:

When receiving messages, the application displays the information important in describing the message(s), the content of the message(s), and the size of the message(s). This information is referred to as the header information of the message(s). At first, only the header information is retrieved from the mail server and displayed to the user.

(Column 15, lines 42-48.) Thus, because of the way messages are presented, and because of the frequency of automatically checking messages, Applicants submit that there would be no reason for the system described in Montville to add a message alert for the simple reason that all new messages arrive in a message “inbox” and the header information is viewed.

The Montville system is designed to *avoid* the need to use message alerts, because the system checks for new messages based on the frequency the subscriber has determined, and the header information is placed in the inbox. Thus, because Montville system automatically checks for messages based on a user selectable frequency, no message alert would be necessary or contemplated. Therefore, Montville fails to remedy the deficiencies of Meyer. That is, if fails to disclosure or suggest the notification feature of Claim 1.

Further, Applicants understand the Montville system to relate to an electronic mail system that can be used in two forms. Apparently, one form of the system is an Internet-based electronic mail system that can be accessed solely by subscribers to the system. Subscribers benefit from enhanced email security features that normally are not available to non-subscribers who send email and receive email from non-subscribers. Montville recites:

To receive e-mail messages from others, User A opens his client-side program on Computer A, or logs into Server I from any other Computer X or Z connected to any Server. He/she downloads the messages to his Computer A, or reads them on-line on the other Computer X or Z. The messages are decrypted automatically, attachments are decompressed automatically if necessary, and other features of the EMC program are implemented for him, since he/she is tied into Server I, which runs the web-side EMC system.

(Column 27, lines 12-19.) Thus, Applicants understand that, with the Montville system, subscribers have default security protection in their email simply by subscribing to the EMC

system. Apparently, every time a subscriber authenticates himself or herself, the subscriber has access to secure information. That is, in the Montville system, it appears that the subscriber has the added benefit and ability to view secure messages without having to be notified to go to another website to view private messages, because presumably the Montville system has made all received email secure. Therefore, in the system disclosed in Montville, there is no suggestion or motivation to add a step of notifying a subscriber of “a message stored in the database.” Certainly there would be no reason or benefit to notifying a subscriber of a waiting message if the subscriber already is in the process of checking for messages.

Accordingly, Applicants submit that Claim 1 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

Applicants note that new independent Claim 9 includes a notification feature similar to that of Claim 1 and therefore is submitted to be patentable over the cited prior art for at least the reasons discussed above. The other claims in this application depend from either Claim 1 or Claim 9 and therefore are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual consideration reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

CONCLUSION

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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